## Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALEKSANDAR KAVCIC,

Plaintiff,

v.

BROADCOM INC., et al.,

Defendants.

Case No. 20-cv-01246-JD

## THIRD ORDER RE SEALING

Broadcom has filed three sealing requests, Dkt. Nos. 123, 125, 145, to redact (1) references to email communications designated by Broadcom as privileged or confidential, and (2) references to the amount of money that plaintiff Kavcic received in a prior settlement, which is derived from a document that non-party Carnegie Mellon University has designated as Highly Confidential. Broadcom's sealing motions are again perfunctory and devoid of meaningful analysis. See Dkt. No. 59 (order denying sealing requests). The requests to seal Carnegie Mellon's confidential information are also procedurally improper. In our District, a party who wishes to redact another party's designated confidential information must file an Administrative Motion to Consider Whether Another Party's Material Should be Sealed. See Civ. L.R. 79-5(f)(5).

This is not the first time that Broadcom has violated the Local Rules with respect to sealing applications. In the related patent case, the Court expressly advised Broadcom, which is represented in both cases by the same counsel, that it would "restrict or bar the opportunity to file future motions to seal if a party shows again an inability to conform to the governing standards, the local rules, or the Court's orders." Carnegie Mellon Univ. v. LSI Corp., No. 18-CV-04571-JD, 2020 WL 5592992, at \*2 (N.D. Cal. Sept. 18, 2020). Broadcom has flouted all three.

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United States District Court Northern District of California Consequently, Broadcom's requests to seal references to email communications it has designated as privileged or confidential are denied. For third-party information, Broadcom is directed to file by December 23, 2023, a single sealing motion that accords with the Local Rules and the Court's practices. Carnegie Mellon will have seven days to file a response. Civ. L.R. 79-5(f)(3). Once that motion is resolved, the Court will enter an order directing Broadcom to re-file appropriate public versions of Dkt. Nos. 122, 124, and 144.

## IT IS SO ORDERED.

Dated: December 12, 2023

JAMES DONATO United states District Judge